

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Adrian Onea Application No. 10/584,703 Filing Date: 12/21/2004 For: VEHICLE SPEED DETERMINATION SYSTEM AND METHOD	Group Art Unit: Confirmation No. 7985 Examiner: Not assigned PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT
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Sir:

On July 3, 2008, a letter of abandonment/termination was mailed and received by applicant on July 7, 2008. This communication represents applicant's petition to revive the above-referenced application.

As evidenced by the enclosed documents, a response to the Notice of Missing Parts mailed on March 23, 2007 was submitted together with Form PTO-1533, the necessary signed oath/declaration, the fee in the amount of \$65.00 to support the response to the Notice to File Missing Parts, the transmittal response and return postcard on April 30, 2007. However, it is noted that the serial number given in the response was incorrectly stated as 10/384,703, wherein the correct serial number is 10/584,703.

In that applicant timely filed its response to the Notice to File Missing Parts, it is respectfully asserted that the present application be revived.

Respectfully submitted,

DERGOSITS & NOAH LLP

Dated: July 11, 2008

By:



Paul K. Tomita
Reg. No. 43,196

Serial No. 10/384,703 File No. 411.20 By PKT

In the Matter of the Application of Adrian Crea

Date Mailed April 30, 2007

Due Date

The following has been received in the U.S. Patent Office on the date stamped hereon.

- ☒ Oath / Declaration
- ☐ Power of Attorney
- ☒ Check 65.00
- ☐ Deposit Account Order Form
- ☐ Drawings _____ sheets
 - ☐ Informal
 - ☐ Formal
- ☐ Assignment
- ☐ Letter (transmittal)
- ☐ Information Disclosure
- ☐ (Prior Art) Statement
- ☐ Notice of Appeal
- ☐ Extension of Time Request
- ☐ Amendment / Response
- ☐ Affidavit
- ☐ Petition



- ☐ ITU Trademark Application
- ☐ Issue Fee Transmittal Form
- ☐ Trademark Appln. & Specimens
- ☐ Sec. 8 & 15 Affidavits
- ☐ Trademark Renewal Appln.
- ☐ Utility (regular) Appln.
- ☐ Design Patent Appln.
- ☐ Provisional Appln.
- ☐ Terminal Disclaimer
- ☒ Certificate of Mailing
- ☐ Express Mail Certificate

☒ Other Response to
notice of missing parts

DERGOSITS & NOA _P
FOUR EMBARCADERO CENTER, SUITE 1450
SAN FRANCISCO, CA 94111
(415) 705-6377

WELLS FARGO BANK, NA
SAN FRANCISCO, CA 94104
11-4288/1210

12576

April 30, 2007

PAY TO THE
ORDER OF Commissioner for Patents

\$ 65.00

***Sixty five Dollars and no/100

DOLLARS 

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Will Dergosits



DERGOSITS & NOAH LLP

CHECK DATE

PAYEE

INVOICE NO.

CHECK AMOUNT

12576

April 30, 2007

Commissioner for Patents

65.00

DESCRIPTION 411.20

5411 65.00

DERGOSITS & NOAH LLP

12576

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Adrian Onea

Application No. 10/384,703

Filing Date: 12/21/2004

For: VEHICLE SPEED DETERMINATION)
SYSTEM AND METHOD)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

**RESPONSE TO NOTICE TO FILE
MISSING PARTS**

CERTIFICATE OF MAILING

I hereby certify that the correspondence enclosed herein is being deposited as first class mail with the United States Postal Service on this date April 30, 2007, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Teri Nelmark
Teri Nelmark

Sir:

In response to the Notice to File Missing Parts mailed on March 23, 2007, Applicant hereby submits the following for filing:

1. Form PTO-1533;
2. Executed Declaration;
3. Check in the amount of \$65.00 fee associated with responding to the Notice to File Missing Parts; and
4. Return postcard.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication or credit any overpayment to Deposit Account No. 04-0822. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
DERGOSITS & NOAH LLP

Dated: April 30, 2007

By: Paul K. Tomita
Paul K. Tomita

**Four Embarcadero Center
Suite 1450
San Francisco, CA 94111
(415) 705-6377 Telephone
(415) 705-6383 Facsimile**

Atty Docket No. 411 20

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

VEHICLE SPEED DETERMINATION SYSTEM AND METHOD

the specification of which (check one) ☐ is attached hereto or ☒ as filed on June 22, 2006 as Application Serial No. 10/584,703 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, U.S.C. 119(a)-(d) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
			<u>Yes</u> <u>No</u>
<u>2003907181</u>	<u>Australia</u>	<u>24 December 2003</u>	<u>X</u>
Number	Country	Day/Month/Year Filed	

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s)			Priority Claimed
			<u>Yes</u> <u>No</u>
Number	Country	Day/Month/Year Filed	

I hereby claim the benefit under Title 35, U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior Application(s)			Priority Claimed
			<u>Yes</u> <u>No</u>
<u>PCT/AU04/01815</u>	<u>Australia</u>	<u>21 December 2004</u>	<u>X</u>
Number	Country	Day/Month/Year Filed	

Atty Docket No. 411.29

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Adrian Onca

Inventor's signature: [Signature] 30-4-07 (April 30th)

Date

Residence: 6 George Street, Ashwood, Victoria 3147 Australia

Citizenship: Australia

Post Office Address: 6 George Street, Ashwood, Victoria 3147 Australia

Full name of second joint inventor: Ricardo John Fiasco

Inventor's signature: Ricardo Fiasco 30-4-07 (April 30th)

Date

Residence: 30 Bridge Street, Brighton, Victoria 3185 Australia

Citizenship: Australia

Post Office Address: 30 Bridge Street, Brighton, Victoria 3185 Australia



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/584,703	Adrian Onea	411.20

INTERNATIONAL APPLICATION NO.

PCT/AU04/01815

I.A. FILING DATE	PRIORITY DATE
12/21/2004	12/24/2003

8685

DERGOSITS & NOAH LLP
FOUR EMBARCADERO CENTER, SUITE 1450
SAN FRANCISCO, CA 94111

RECEIVED

MAR 30 2007

CONFIRMATION NO. 7985

371 FORMALITIES LETTER



DERGOSITS & NOAH, LLP

0000000023068541*

Date Mailed: 03/23/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/22/2006
- Copy of the International Search Report filed on 06/22/2006
- Preliminary Amendments filed on 06/22/2006
- U.S. Basic National Fees filed on 06/22/2006
- Priority Documents filed on 06/22/2006
- Specification filed on 06/22/2006
- Claims filed on 06/22/2006
- Abstracts filed on 06/22/2006
- Drawings filed on 06/22/2006

DOCKETED

MAR 30 2007

4/23/07

5/23/07

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/584,703	PCT/AU04/01815	411.20